a patel or shanbhog is illiterate, he is not appointed Government are trying to improve the administration of Village Courts.

SUBJECT NO. 61.

Territorial jurisdiction of a Special Magistrate of the 2nd class under the scheme for separation of Judicial and Executive functions.

Messrs. Herur Gundappa, Kunigal Taluk. H.Krishnasastry, Venkatasubbiah and Sambu Gowda, Krishnarajpete Taluk, D. Srikanta Rao, Devanhalli Taluk, Karnik Krishnamurti Rao, Magadi Taluk, K. Giriyappa, and Nadig Raghavendrappa, Honnali Taluk.

Mr. H. Gundappa.—A magistrate may be appointed for two taluks as many have to come from long distances. The number of 2nd class magistrates should be increased.

Mr. M. Karnick Krishnamurthi Rao.—Since there were not proper railway facilities all over the State a magistrate may be appointed for each two taluks. The appointment of itinerant magistrates would be suitable if this proposal is not sanctioned. Fourteen or 15 days' halt in a place would do if a convenient centre is chosen. These itinerant magistrates may try 2nd and 3rd class cases.

Mr. H. Krishna Sastry.—Centres should be chosen according to the convenience of the public. Mandya has been made a centre. Before the courts are opened, details may be settled. The centre should be French Rocks. Local officers may be consulted.

Dewan.—Government are aware that there is some inconvenience as regards the location of these courts. They will enquire into the matter and then decide. Whether to make these courts itinerant or to give more courts, etc., will be decided later on.

Mr. Srinivasiengar.—There are not enough Prosecuting Inspectors. From the amount spent on travelling allowances to Police officers a Sub-Magistrate's court may be established. There should be one court for two taluks.

Dewan.—We will note all these suggestions.

SUBJECT NO. 62.

Location and jurisdiction of Criminal Courts in the Kadur District under the scheme sanctioned for the separation of Judicial and Executive functions.

Messrs. C. Vasudeva Rao, T. B. Mallegowda and B. Kesaviah, Chikmagalur Taluk; N. Nanjundiah, Chikmagalur Municipality and H. Krishna Rao, K. Krishnappa and H. Hucha Rao, Koppa Taluk.

Mr. H. Krishna Rao.—The separation scheme should be introduced into the Malnad. The scheme should be first tried in Kadur. A court should be located at Tarikere.

Dewan.—We will consider these suggestions. The scheme may perhaps be extended each year into one maidan and one malnad district. This will be considered.

SUBJECT NO. 63.

A third class Magistrate for each taluk.

(1) Mr. E. Krishnappa, Nanjangud Municipality.
(2) Messrs. Raghavendrappa, and K. Giriappa, Honnali Taluk.
(3) Mr. Hanumantappa, Molakalmuru Taluk.

Summary of discussion.—(1) By the appointment of a stationary Magistrate for every two or three taluks as at present proposed by Government, the difficulties and trouble of the people will in no way be minimised, and it is therefore necessary that at least a third class Magistrate should be located in each taluk.

(2) Amildars may be allowed to continue to exercise criminal powers of the 3rd class at least regarding village sanitation.

(3) Amildars of taluks who are far away from the headquarters of the district may be allowed to continue to exercise magisterial powers.

Reply of Government.—This question has already been discussed. (*Vide* reply to Subject No. 61.)

SUBJECT No. 64.

Execution of civil court decrees directing the partition of immovable property.

Mr. G. Sivaramayya, Tumkur District Board.

Summary of discussion.—Decrees of civil courts directing the partition of immovable property may be sent for execution direct to the Amildar and Deputy Amildar, instead of through the Deputy Commissioner.

Dewan.—How will the delay be avoided by sending the decree to Amildars?

Mr. Sivaramayya.— Much time will be saved since the order is not required to be communicated to the Amildar by the Deputy Commissioner.

Mr. C. S. Doraswamy Iyer.—According to Section 54, the Deputy Commissioner may delegate his power to any officer not below the grade of an Amildar. He may depute any officer according to the exigencies of public work.

Reply of Government.—There is a principle involved in it. The Chief Court must deal with the Deputy Commissioner directly. According to the Civil Procedure Code, the Deputy Commissioner is directly responsible for the execution of a decree, and this power cannot be given to the Amildar. If there are any cases of delay, they may be brought to the notice of Government.

SUBJECT No. 65.

Appointment of guardians for minor defendants.

Mr. G. Sivaramayya, Tumkur District Board.

Summary of discussion.—The appointment by the courts of a guardian for a minor defendant, even in cases in which the claim is only for a small amount and the proper guardian purposely evades appearance, entails sometimes heavy expenses. Decrees may be given in such cases on the responsibility of the plaintiff without the appointment of a guardian.

Reply of Government.—This is not possible.

SUBJECT No. 66.

Payment of money by parties in the presence of the Judge.

Mr. C. Chennakeshaviah, Chitaldrug Taluk.

Summary of discussion.—Though the defendant is ready to pay the money in court on the date of hearing, he is required to deposit it in the Treasury taking a receipt order from the Cash Nazar. This causes much trouble and inconvenience to ignorant clients. The amounts may be made payable in court to plaintiff or his pleader in the presence of the Judge who may note the payments in the order sheet then and there.

Reply of Government.—The Chief Court will be asked to issue a circular to this effect.

SUBJECT No. 67.

Returns of deposits by Court.

Mr. C. Chennakeshaviah, Chitaldrug Taluk.

Summary of discussion.—In Civil cases, the court insists upon the party applying for payment of money deposited in court to get a lawyer to identify him. This causes much inconvenience to those who have not